

REMARKS

Claims 1-30 are pending in this Application. Claims 2, 3, 6, 10, 12, 14, 15, 22, 23, and 30 have been amended by this Amendment.

The Office Action dated July 30, 2007 objected to informalities in the drawings and the specification. The Office Action rejected claims 4, 14 and 24 as being indefinite under 35 USC 112, second paragraph. The Office Action also rejected claims 1-6, 8, 10-16, 18, 20-26, 28 and 30 under 35 USC 102(e) as being anticipated by prior art, and rejected claims 7, 9, 17, 19, 27 and 29 under 35 USC 103(a) as being rendered obvious by prior art.

Objections

The objections to the drawings are set forth in paragraph 2 on page 2 of the Office Action. The drawings are objected to merely because some of the reference numerals are not mentioned in the description of the preferred embodiments. Applicants have therefore amended the specification to include the reference numerals.

The objections to the specification consist of typographical errors identified in paragraphs 3 and 4 on page 3 of the Office Action. Applicants have corrected the typographical errors in this Amendment.

Indefiniteness Rejection

The grounds for the indefiniteness rejection of claims 4, 14, 24 is set forth in paragraphs 5 and 6 on page 3 of the Office Action. Specifically, the rejection asserts that one of ordinary skill in the art would not know what the phrase "substantially constantly" means and that the phrase is not defined in the specification. The words substantially and constantly are well known words in the English language. If one does not know what they mean, then they can look up the definition thereof in Webster's or similar dictionary.

Anticipation Rejection

The grounds for the anticipation rejection of claims 1-6, 8, 10-16, 18, 20-26, 28 and 30 is set forth in paragraphs 7-18 on pages 3-9 of the Office Action. Specifically, the claims are rejected as being anticipated by the preferred embodiment discussed in U.S. Published Patent Application No. 2001/0051900 filed by Fisher et al (this preferred embodiment hereinafter referred to simply as "Fisher"). Applicants respectfully traverse the anticipation rejection because Fisher does not include each and every one of the combination of features recited in the rejected claims.

For example, independent system claims 1 and 11 recite the features that a display stores and transmits the "URL of a website related to the display". Independent method claim 21 recites substantially similar features.

The rejection asserts that paragraph 47, lines 10-14, and paragraph 24, of the published patent application respectively teach that Fisher stores and transmit URLs. Paragraph 24 of the reference merely states that Fisher includes a transmitter, and does not indicate what is transmitted. Paragraph 47 is rather confusing. It states the following:

"Alternatively, and/or additionally a traveling salesman having a PDA45C, for example and waiting for a bus whilst sitting in a kiosk having display 1 can download from his PDA45C sales orders received previously and entered into the PDA by the salesman. Such sales orders can be transmitted to the display 1 together with the universal resource location (URL) of the remote PC64 which collects such orders and sends the goods for despatch."

While there is a URL in Fisher, that URL is transmitted "to" the display by a traveling salesman whereas the claims recite that the display transmit a URL. Furthermore, the URL in Fisher is not for a website related to the display. The URL is of a remote PC 64, which collects sales orders and sends goods. There is no indication that remote PC 64 provides a website.

Obviousness Rejections

The grounds for the obviousness rejections of claims 7, 9, 17, 19, 27 and 29 is set forth in paragraphs 21-23 on pages 9 and 10 of the Office Action. Specifically, the obviousness rejection rely solely on Fisher and no secondary reference is cited in the rejections. Applicants respectfully traverse the rejections because they fail to establish a prima facie case that Fisher suggests a system and method having each and every one of the features recited in the rejected claims.

Claims 7, 17 and 27 add the limitation that the URL is a specific embedded page of a website. The rejection of claims 7, 17 and 27 states that it is obvious that any type of URL "can be" transmitted even one that is linked to an embedded page of a website. Applicants do not dispute that an embedded page of a website "can be" transmitted and that the claimed invention is possible. However, there is no indication, or even a rationale asserted, as to why one would modify Fisher in the manner proposed in the rejection.

Claims 9, 19 and 29 add the limitation that the URL is transmitted "with a filtering code . . . to avoid receiving interference or incorrect information. The rejection asserts that it would be obvious to "append a filtering code to the URL for users if they would like to receive only information about this advertisement again at any BLUEFISH logo display." There is simply no rationale offered, much less a prima facie case, for making this proposed modification of Fisher.

Claim Amendments

Applicants have amended several of the dependent claims to recite different features of the invention. Specifically, applicants assert that (in addition to the reasons set forth above with respect to the independent claims) each one of amended dependent claims 2, 3, 6, 10, 12, 22, 23 and 30 is allowable because of the additional features now recited therein.

Applicants hereby petition for a one month extension of time for their response. The Commissioner is hereby authorized to charge the extension fee, and any fees which may be required for the consideration of this Amendment, or to otherwise avoid abandonment of this application, to Deposit Account No. 10-0100 (Ellman P-003).

Respectfully Submitted,

A handwritten signature in cursive script, appearing to read "Robert Bauer", written over a horizontal line.

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Date: November 30, 2007